

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION

COTINA MACHELLE SIMPSON

PLAINTIFF

V.

CAUSE NO. 1:20-CV-011-GHD-DAS

CLC OF WEST POINT, D/B/A WEST
POINT COMMUNITY LIVING CENTER

DEFENDANT

ORDER GRANTING IN PART AND DENYING IN PART DEFENDANT'S
MOTION FOR SUMMARY JUDGMENT

Pursuant to an opinion issued this day, it is hereby ORDERED that:

- (1) the Defendant's motion for summary judgment [Doc. No. 39] is GRANTED IN PART AND DENIED IN PART;
- (2) the motion is GRANTED with respect to the Plaintiff's claim for violation of the Family and Medical Leave Act, and that claim is DISMISSED WITH PREJUDICE;
- (3) the motion is GRANTED with respect to any claim based upon the Defendant's conduct in 2016 that was the subject of the Plaintiff's August 2, 2016 E.E.O.C. Charge of Discrimination, and any such claims are DISMISSED WITH PREJUDICE; and
- (4) the motion is DENIED in all other respects; the Plaintiff's claim for discrimination under the Americans with Disabilities Act shall PROCEED.

All memoranda, depositions, declarations, and other materials considered by the Court in ruling on this motion are hereby incorporated into and made a part of the record in this action.

SO ORDERED this the 22 day of April, 2021.



SENIOR U.S. DISTRICT JUDGE